

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

1199SEIU UNITED	)	
HEALTHCARE WORKERS EAST,	)	
	)	No. 1:20-cv-24069-RNS
Plaintiff,	)	
	)	Hon. Robert N. Scola, Jr.,
v.	)	District Judge
	)	
LOUIS DEJOY, Postmaster	)	Hon. Jonathan Goodman,
General and Chief Executive	)	Magistrate Judge
Officer of the United States Postal	)	
Service; and the UNITED STATES	)	
POSTAL SERVICE,	)	
	)	
Defendants.	)	

**DECLARATION OF STEVE ART IN SUPPORT OF  
PLAINTIFF’S EMERGENCY MOTION FOR PRELIMINARY INJUNCTION**

I, Steve Art, hereby declare and state as follows:

1. I am counsel for Plaintiff, 1199SEIU United Healthcare Workers East, in the above captioned matter. I am also a partner with the law firm of Loevy & Loevy.

2. I am over the age of 18 and competent to make this Declaration. The statements contained in this Declaration are based on my personal knowledge and a review of relevant records. If called and sworn as a witness, I would and could testify competently to the matters set forth herein.

3. Attached as Exhibit 24 is a true and correct copy of Extraordinary Measures Memorandum, United States Postal Service, dated October 20, 2020.

4. Attached as Exhibit 25 is a true and correct copy of “Key swing states vulnerable to USPS slowdowns as millions vote by mail, data shows,” *Washington Post*, Jacob Bogage, October 20, 2020.

5. Attached as Exhibit 26 is a true and correct copy of a letter from the U.S. Attorney’s Office for S.D.N.Y. to Hon. Victor Marrero titled *Jones et al. v. United States Postal Service et al.*, No. 20-CIV-6516 (VM), filed in *Jones v. United States Postal Service*, No. 20-CIV-6516 (VM) (S.D.N.Y.) as ECF No. 90 and dated October 16, 2020 (“Oct. 16 SDNY Jones Letter”).

6. Attached as Exhibit 27 is a true and correct copy of Exhibit 1 to the Oct. 16 SDNY *Jones* Letter, titled “USPS FY20 Q2 – FY21 Q1 To-Date Service Performance For Market-Dominant Products: Nation – By Week.” *Jones v. United States Postal Service*, No. 20-CIV-6516 (VM) (S.D.N.Y.), ECF No. 90-1.

7. Attached as Exhibit 28 is a true and correct copy of Exhibit 2 to the Oct. 16 SDNY *Jones* Letter, which is a news release from the United States Postal Service titled “The U.S. Postal Service Continues to Maintain Service Performance Amid Surge in Mail Volume.” *Jones v. United States Postal Service*, No. 20-CIV-6516 (VM) (S.D.N.Y.), ECF No. 90-2.

8. Attached as Exhibit 29 is a true and correct copy of Exhibit 3 to the Oct. 16 SDNY *Jones* Letter, which is a report providing scores and delivery statistics for various classes of USPS mail. *Jones v. United States Postal Service*, No. 20-CIV-6516 (VM) (S.D.N.Y.), ECF No. 90-3.

9. Attached as Exhibit 30 is a true and correct copy of Exhibit 4 to the Oct. 16 SDNY *Jones* Letter, which is a report providing Processing Operations Summary Reports and an Election Mail Service Performance Score for USPS. *Jones v. United States Postal Service*, No. 20-CIV-6516 (VM) (S.D.N.Y.), ECF No. 90-4.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, and under the laws of the United States of America, that the foregoing is true and correct.

Executed on October 21, 2020

/s/ Steve Art  
*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 21, 2020, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Executed on October 21, 2020

/s/ Steve Art

*Counsel for Plaintiff*